

House File 314 - Enrolled

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HOUSE FILE 314

AN ACT

RELATING TO A PEACE OFFICER'S STATEMENTS TO A PERSON OPERATING
A NONCOMMERCIAL MOTOR VEHICLE AND HOLDING A COMMERCIAL
DRIVER'S LICENSE WHO HAS BEEN REQUESTED TO SUBMIT TO A
CHEMICAL TEST IN AN OPERATING=WHILE=INTOXICATED CASE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 321J.8, subsection 3, unnumbered
paragraph 1, Code 2007, is amended to read as follows:
a. If the person is operating a commercial motor vehicle
as defined in section 321.1 and either refuses to submit to
the test or submits to the test and the results indicate an
alcohol concentration of 0.04 or more, the person is
disqualified from operating a commercial motor vehicle for the
applicable period under section 321.208 in addition to any
revocation of the person's driver's license or nonresident
operating privilege which may be applicable under this
chapter.

b. If the person is operating a noncommercial motor
vehicle and holding a commercial driver's license as defined
in section 321.1 and either refuses to submit to the test or
operates a motor vehicle while under the influence of an
alcoholic beverage or other drug or controlled substance or a
combination of such substances, the person is disqualified
from operating a commercial motor vehicle for the applicable
period under section 321.208 in addition to any revocation of
the person's driver's license or nonresident operating
privilege which may be applicable under this chapter.

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 314, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2007

CHESTER J. CULVER
Governor